

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

UNITED STATES OF AMERICA,

v.

BROCK BRIAN BEEMAN,

Defendant.

CRIMINAL ACTION NO.  
2:20cr56

TRANSCRIPT OF PROCEEDINGS  
(Status Hearing)

Norfolk, Virginia

November 2, 2021

BEFORE: THE HONORABLE RODERICK C. YOUNG  
United States District Judge

APPEARANCES:

UNITED STATES ATTORNEY'S OFFICE

By: Randy Carl Stoker  
Assistant United States Attorney  
Counsel for the United States

By: Brock Brian Beeman, pro se

WILLIAM J. DINKIN, PLC

By: William Jeffrey Dinkin  
Standby Counsel for the Defendant

1 (Proceedings commenced at 10:02 a.m.)

2 THE CLERK: In the matter of criminal case number  
3 2:20cr56, the United States of America versus Brock Brian  
4 Beeman. The United States is represented by Randy Stoker,  
5 and defendant is represented by Bill Dinkin.

6 Mr. Stoker, is the government ready to proceed?

7 MR. STOKER: The United States is ready.

8 Good morning, Your Honor.

9 THE COURT: Good morning, Mr. Stoker.

10 THE CLERK: And, Mr. Dinkin, are you ready to  
11 proceed?

12 MR. DINKIN: Good morning, Judge. Yes, we are  
13 ready.

14 THE COURT: Good morning, Mr. Dinkin.

15 So, we were last before the Court a week or so ago,  
16 or maybe a couple of weeks by this point, and I was  
17 addressing two things: Mr. Beeman's competency, which I  
18 found him competent to go forward, and then his motion to  
19 represent himself. And at that point, I found that  
20 Mr. Beeman was not competent to represent himself and  
21 overruled his motion.

22 However, as I've looked at some things, I did want  
23 to go ahead and appoint a lawyer, and have that lawyer have  
24 further conversations, have another lawyer, other than his  
25 prior lawyer, have further conversations with Mr. Beeman

1 about his desire to represent himself.

2 Now, you know, one of the things that I didn't  
3 articulate last time was that in addition to all of the  
4 questions that Mr. Beeman answered no to, about having  
5 familiarity with the Federal Rules of Criminal Procedure,  
6 the Federal Rules of Evidence, the U.S. Sentencing  
7 Guidelines, 3553(a), and everything that goes into kind of  
8 representing oneself, was also a statement made by the  
9 doctor who evaluated Mr. Beeman. And that doctor said that,  
10 "Mr. Beeman would likely benefit from frequent check-ins  
11 with his attorney to ensure that he is retaining pertinent  
12 information. It is recommended that the information he is  
13 presented with be simplified to ensure that he understands.  
14 He may also benefit from periodic breaks to ensure that he  
15 does not become overwhelmed during the court proceedings."  
16 So, when I read that, in conjunction with Mr. Beeman's  
17 answers on the questions I asked him, I made the ruling that  
18 I did.

19 With that background, Mr. Dinkin, have you had  
20 further conversations with Mr. Beeman about his desire to  
21 represent himself, or have you represent him?

22 MR. DINKIN: Yes, sir. So, Judge, we've met twice.

23 THE COURT: Podium, come to the podium.

24 MR. DINKIN: I'm sorry.

25 THE COURT: That's all right.

1 MR. DINKIN: The courtroom is different.

2 THE COURT: That's okay.

3 MR. DINKIN: I will learn the rules.

4 THE COURT: That's all right.

5 MR. DINKIN: So, we've met twice at the Western  
6 Regional -- Western Tidewater Regional Jail. I'll also  
7 learn the names soon enough. And we've had some fairly  
8 lengthy conversations covering preliminary matters, as in is  
9 he -- does he want to represent himself, or does he want me  
10 to represent him. And, of course, I explained what standby  
11 counsel would do. I also provided a fair amount of  
12 information about some of the things that you just mentioned  
13 for example, the sentencing guidelines in 3553 and the  
14 factors, and we went over those. And I actually had him  
15 recite them back to me. So, at least in a shortened span of  
16 time, his retention of the information was good.

17 THE COURT: Okay.

18 MR. DINKIN: And he indicates that he's being  
19 compliant with all of his medications.

20 So, his desire at this point is to ask the Court to  
21 represent himself.

22 THE COURT: All right.

23 MR. DINKIN: I've provided him with some of the  
24 cases that he can cite to the Court in support of that,  
25 including *Indiana versus Edwards*, which I am sure the Court

1 is familiar with --

2 THE COURT: Yes.

3 MR. DINKIN: -- and some of the Fourth Circuit  
4 cases that have applied that. And so either I can make that  
5 argument for him today, or if the Court --

6 THE COURT: I am just going to have him come  
7 forward, so you stay there.

8 MR. DINKIN: Okay.

9 THE COURT: So, Mr. Beeman, come forward, please.

10 All right, Mr. Beeman. So, the last time you were  
11 here, based on the answers that you gave me, plus the  
12 information I have read and your competency eval, I found  
13 that you weren't competent to represent yourself. However,  
14 after I thought about it, your desire to represent yourself,  
15 although I don't think that's in your best interest, and  
16 I've told you that on a couple of occasions, I think still  
17 with what the doctor is concerned about, that that could be  
18 accomplished by appointing standby counsel for you to help  
19 explain some of the things if it's your desire to continue  
20 to represent yourself. Again, I don't think that's in your  
21 best interest, but that's not the standard. You have a  
22 constitutional right to represent yourself if it's possible,  
23 and I do think that although it would present some  
24 challenges, based on what I have read in this report, I  
25 think it is possible.

1           So, I will just ask you, Mr. Beeman, is it your  
2           desire to have Mr. Dinkin remain your counsel and have him  
3           represent you, or is it your desire to represent yourself?

4           THE DEFENDANT: My desire to represent myself.

5           THE COURT: All right. Okay. So based on  
6           Mr. Beeman's desire and based on his answers to the  
7           questions that I asked him in the last hearing, although I  
8           don't think it's in his best interest to represent himself,  
9           I am going to grant that motion.

10          And, Mr. Dinkin, I will appoint you as standby  
11          counsel.

12          MR. DINKIN: Yes, sir.

13          THE COURT: All right. So you-all may return to  
14          your table.

15          All right, Government. So, I am going to cut an  
16          order and have you respond to Mr. Beeman's motion to  
17          withdraw his guilty plea, and then I will set a time period  
18          for any reply, and then once that is accomplished, we will  
19          set a hearing for that motion. All right?

20          MR. STOKER: Very well, Your Honor.

21          THE COURT: Okay. Very good.

22          And, Mr. Dinkin, we will confer with you on that in  
23          setting the date for the hearing on that motion to withdraw  
24          his guilty plea.

25          MR. DINKIN: Thank you. I appreciate it.

1 THE COURT: Okay. Very good.

2 All right, Government, anything else you think we  
3 need to address today?

4 MR. STOKER: No, Your Honor.

5 THE COURT: Mr. Beeman, anything else from your  
6 perspective that we need to address today?

7 THE DEFENDANT: No, Your Honor.

8 THE COURT: All right.

9 Mr. Dinkin, anything?

10 MR. DINKIN: No, sir.

11 THE COURT: Okay. Very good.

12 Ms. Jones, anything else in this case?

13 THE CLERK: No. That's it, Your Honor.

14 THE COURT: All right. Very good. We will stand  
15 in recess.

16 (Proceedings concluded at 10:10 a.m.)

17 CERTIFICATION

18

19 I certify that the foregoing is a correct transcript  
20 from the record of proceedings in the above-entitled matter.

21

22

23 \_\_\_\_\_/s/\_\_\_\_\_

24 Jill H. Trail

25 June 7, 2022